

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GARY GERTSEN, et al.,</b>	<b>:</b>	<b>CIVIL ACTION NO. 1:04-CV-1779</b>
	<b>:</b>	
<b>Plaintiffs</b>	<b>:</b>	<b>(CONSOLIDATED)</b>
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>(Judge Conner)</b>
	<b>:</b>	
<b>FIRST HORIZON HOME LOAN</b>	<b>:</b>	
<b>CORP., et al.,</b>	<b>:</b>	
	<b>:</b>	
<b>Defendants</b>	<b>:</b>	

**ORDER**

AND NOW, this 3rd day of July, 2007, upon consideration of the motion for relief from judgment (Doc. 366), filed by Andrew Black and seeking relief from the order of court dated July 13, 2005 (Doc. 255) which granted summary judgment in favor of First Horizon Home Loan Corp., doing business as MNC Mortgage and FT Mortgage (collectively “First Horizon”), with respect to the claims in the amended complaint of Andrew Black,<sup>1</sup> and it appearing that Andrew Black settled all claims against First Horizon (see Docs. 405, 413, 414, 415), it is hereby ORDERED that the motion for relief from judgment (Doc. 366) is DENIED as moot.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge

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<sup>1</sup> The court granted summary judgment in favor of First Horizon because Mr. Black’s claims were in control of the bankruptcy trustee. (See Doc. 255 at 4-5.) The instant motion seeks to have Steven M. Carr bring the claims as trustee for the bankruptcy estate of Mr. Black. (See Doc. 366.)